

### **REMARKS**

The Official Action dated August 14, 2007 has been carefully considered. Accordingly, the present Amendment is believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

By the present amendment, claims 1 and 20 are amended to recite a process for cleaning a fabric in accordance with teachings throughout the specification and to define the first and/or second composition as comprising at least one anionic surfactant, in accordance with the teachings of the specification, for example at page 16, line 34. Claim 13 is amended to depend from claim 1, specifying that the fabric is carpet, and claims 13, 15, 16 and 19 are amended to further define the anionic surfactant in accordance with the teachings in the specification at pages 16-21 and 24. Claims 12, 14, 17 and 18 are cancelled and claims 21-24 are added. Support for claims 21 and 22 may be found at page 16, lines 26-34, support for claim 23 may be found at page 24, line 25, and support for claim 24 may be found in original claim 1 and in the specification at page 24, lines 10-15. It is believed that these amendments do not involve any introduction of new matter, whereby entry is believed to be in order and is respectfully requested.

In the Official Action, claims 1-13 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wei et al, U.S. Patent No. 6,245,729. The Examiner asserted that Wei et al disclose a composition comprising a first solid component containing a peracid precursor, a peroxygen source, a fatty acid alkanolamide, and a chemical heater and a second component containing water. The Examiner further asserted that Wei et al teach that the composition may be used as a carpet sanitizer.

However, as will be set forth in detail below, Applicants submit that the processes defined by claims 1-11, 13 and 20 are nonobvious over and patentably distinguishable from

Wei et al. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

Particularly, claim 1 recites a process of cleaning a fabric comprising applying, in any order, to said fabric a first composition and a second composition, wherein the first and/or second composition comprises at least one anionic surfactant. Upon contact of the first and second compositions, heat is generated. Claims 9 and 13 are specifically directed to a process for cleaning a carpet, with claim 13 reciting that heat is generated to provide a carpet cleaning benefit. Claim 20 is directed a process of cleaning a fabric comprising applying, in any order, to said fabric a first composition and a second composition, wherein the first and/or second composition comprises at lease one anionic surfactant. Upon contact of the first and second compositions, heat is generated. The heat generated ( $\Delta T$ ) upon contact of the two compositions is at least 1° C when measured upon the fabric.

Wei et al is directed to peracid forming systems, peracid forming compositions and methods for making and using such, and methods of sanitizing a surface having a population of microorganisms. Wei et al disclose that the peracid forming composition includes a peracid precursor, a peroxygen source and a chemical heater. Wei et al also disclose that the peracid forming composition is provided within a container and when the container is contacted with water, the water combines with the peracid forming composition to create a peracid solution. The chemical heater enhances the rate of peracid formation (Abstract). Finally, Wei et al disclose that their composition may include a monoethanol amide of stearic acid as a moisture barrier.

However, Wei et al fail to teach, suggest or recognize a process of cleaning a fabric or a process of cleaning a carpet which employs first and second compositions which generate heat upon contact. One of ordinary skill in the art will recognize that the compositions of Wei et al for sanitizing a surface having a population of microorganisms does not teach or

suggest cleaning a fabric, i.e., stain and soil removal. To the contrary, as noted by the Romero WO 97/25404 previously cited and relied upon the Examiner, it is known in the art that disinfecting compositions based on peracids often times damage surfaces. Thus, the sanitizing compositions and methods of Wei et al do not teach or suggest a process for cleaning a fabric, particularly a carpet, as presently claimed. Further, Applicants find no teaching, suggestion or recognition by Wei et al of a heat-generating composition which comprises at least one anionic surfactant as required by claims 1 and 20 (or at least one zwitterionic betaine as required by claim 24). That the Wei et al composition may include a monoethanol amide of stearic acid as a moisture barrier does not teach or suggest a composition as required by the present claims comprising at least one anionic surfactant (or at least one zwitterionic betaine surfactant). Accordingly, Applicants submit that Wei et al fail to teach, suggest or recognize the processes as defined by claims 1-11, 13 and 20.

References relied upon to support a rejection under 35 U.S.C. §103 must provide an enabling disclosure, i.e., they must place the claimed invention in the possession of the public, *In re Payne*, 203 U.S.P.Q. 245 (CCPA 1979). As noted above, Applicants find no teaching, suggestion or reference in Wei et al of the processes for cleaning a fabric (claims 1 and 20) or cleaning a carpet (claim 9 and 13) comprising the steps of applying, in any order, to said fabric a first composition and a second composition, wherein said first and/or second composition comprises at least one anionic surfactant as set forth in claims 1 and 20, and wherein upon contact of said first and second compositions, heat is generated. In addition, Applicants find no teaching, suggestion or reference in Wei et al for modifying the disclosure therein to arrive at the claimed invention. In view of the failure of Wei et al to teach or suggest processes for cleaning a fabric (claims 1 and 20) or cleaning a carpet (claims 9, 13 and 24) as recited by the claims, rather than sanitizing a surface having a population of

microorganisms, Wei et al does not support a rejection of claims 1-13 and 20 under 35 U.S.C. §103.

It is therefore submitted that the presently claimed processes defined by claims 1-11, 13 and 20 are nonobvious over and patentably distinguishable from the teachings of Wei et al, whereby the rejection under 35 U.S.C. §103 has been overcome. Reconsideration is respectfully requested.

Claims 14-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wei et al, in view of Scialla et al, U.S. Patent No. 5,905,065. The Examiner acknowledged that Wei et al do not teach sulfosuccinate surfactants. However, the Examiner relied on Scialla et al as disclosing carpet cleaning compositions comprising anionic, zwitterionic, and nonionic surfactants and mixtures thereof. Accordingly, the Examiner asserted that it would have been obvious to one skilled in the art to modify the teachings of Wei et al by substituting the surfactants taught by Scialla et al for the fatty acid alkanolamide taught by Wei et al to arrive at the presently claimed invention.

However, as will be set forth in detail below, Applicants submit that the processes defined by claims 15, 16 and 19 are nonobvious over and patentably distinguishable from Wei et al in view of Scialla et al. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

Particularly, the processes of claims 1 and 13 from which claims 15, 16 and 19 directly or indirectly depend, are discussed above. As also discussed above, Wei et al is directed to peracid forming systems, peracid forming compositions and sanitizing methods against a population of microorganisms using the same. However, Wei et al fail to teach, suggest or recognize a heat-generating cleaning composition or process, particularly such a composition or process employing an anionic surfactant as required by the present claims. Wei et al merely disclose the use of a fatty acid alkanolamide moisture barrier. Accordingly,

as recognized by the Examiner, Wei et al fail to teach, suggest or recognize the processes as defined by claims 15, 16 and 19 employing defined, select surfactant components.

The Examiner relied upon Scallia et al as disclosing compositions that comprise surfactants as defined in claims 14-19. However, one skilled in the art would not look to the teachings of the Scallia et al for combination with Wei et al. Specifically, as noted above, Wei et al is directed to peracid forming compositions and methods of sanitizing a surface having a population of microorganisms using such compositions. A chemical heater is employed to provide localized heating for accelerating the reaction between a peracid precursor and a per oxygen source to form the peracid for sanitization. On the other hand, Scallia et al is directed to carpet cleaning compositions and methods for cleaning carpets, and particularly is directed to such compositions containing salicylic acid or a derivative thereof in combination with conventional carpet cleaning components to provide improved stain removal. However, Wei et al provide no teaching or suggestion for compositions or processes for cleaning and, particularly, for stain removal. To the contrary, Wei et al are directed to methods of sanitizing a surface having a population of microorganisms for disinfection. Even Wei et al's brief reference to a carpet sanitizer powder provides no teaching or suggestion relating to carpet cleaning. Accordingly, one of ordinary skill in the art would have no reason to combine any of the surfactant ingredients of Scallia et al in the Wei et al sanitizing compositions. In fact, as noted above, Romero et al previously cited by the Examiner teaches away from the use of disinfecting compositions on certain surfaces.

On the other hand, Applicants have determined that improved cleaning benefits can be provided by including an anionic surfactant or a zwitterionic betaine surfactant in combination with first and second compositions which upon contact generate heat, thereby providing improved cleaning benefits. Neither Wei et al nor Scallia et al provide any teaching or suggestion in this regard.

In the Official Action, the Examiner asserted it would have been obvious to one of ordinary skill in the art to substitute the surfactants taught by Scallia et al for the fatty acid alkanolamide taught by Wei et al because Scallia et al teach the functional equivalence of the anionic, zwitterionic and nonanionic surfactants for the benefits of producing compositions with improved stain removal properties. However, Wei et al do not disclose the use of their fatty acid alkanolamide for stain removal. Rather, Wei et al teach the use of this component for providing a moisture barrier. The Examiner has provided no evidence of record that one of ordinary skill in the art would have found it obvious to use anionic surfactants as claimed as a moisture barrier in Wei et al in view of Scallia et al.

The Examiner further asserted in the Official Action that is prima facie obvious to combine two compositions, each taught for the same purpose, to yield a third composition for that very purpose. However, Wei et al and Scallia et al do not disclose compositions for use for the same purpose. To the contrary, Wei et al disclose sanitizing compositions for sanitizing a surface having a population of microorganisms. On the other hand, Scallia et al disclose a carpet cleaning composition for stain removal. In view of the failure of these references to teach two compositions for the same purpose, there is no prima facie obvious reason to combine their teachings along the lines asserted by the Examiner.

It is therefore submitted that the processes defined by the present claims, particularly claims 15, 16 and 19, are nonobvious over and patentably distinguishable from the combination of Wei et al and Scallia et al, whereby the rejection under 35 U.S.C. § 103 has been overcome. Reconsideration is respectfully requested.

It is believed that the above represents a complete response to the Official Action and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Serial No.: 09/876,359  
Amendment dated November 1, 2007  
Reply to Official Action dated August 14, 2007

Please charge any fees required in connection with the present communication, or credit any overpayment, to Deposit Account No. 04-1133.

Respectfully submitted,

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